Plan Commission
Initiated by

P. Delker Drafted by

January 17, 2008 Date

RESOLUTION R-10-08 A RESOLUTION AMENDING THE COMPREHENSIVE DEVELOPMENT PLAN FOR ORCHARD POINTE

WHEREAS, Mayo Corporation, on behalf of EZ Nesbitt, has requested an amendment to the Comprehensive Development Plan for Orchard Pointe originally adopted in April 2006, so as to address reduced building size and subsequent reduced trip generation tables for proposed Lots 3-4, 6 and 7, and

WHEREAS, the Plan Commission of the City of Fitchburg has reviewed and recommended approval of the proposed amendments,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Fitchburg, Dane County, Wisconsin herewith approves Amendment 2 to the Orchard Pointe Comprehensive Development Plan with the following condition:

1. No other permit or approval is waived or deemed satisfied except for the approval herein provided.

Adopted by the City Council of the City of Fitchburg this day of January 2008.

Approved: January 26,08

Tom Clauder, Mayor

Orchard Pointe

Comprehensive Development Plan

Amendment Two

PREPARED FOR

EZ Nesbitt LLC c/o Tim Neitzel Air Temperature Services Inc. 5301 Voges Road Madison, WI 53718

PREPARED BY

Mayo Corporation 600 Grand Canyon Drive Madison, WI 53719

December 18, 2007

December 28, 2007 Response to City Staff Comments

Table of Contents

		Page No.
Introduc	ction / Background	1
General	Description	1
Sequence	ce of Development Approvals	2
Land U	se Development and Zoning	2
Traffic	Generation and Circulation	2
Open S	pace Preservation	3
Storm V	Vater Management	4
Attachn	nents	*
Attacini	iens	
A.	Table 1 Development Parameters	
В.	Trip Generation Comparison (Strand Report) 6 February 2006	
C.	Orchard Pointe Open Space Ledger	- 20

Introduction/Background/Chronology

The Orchard Pointe Comprehensive Development Plan (CDP) was adopted by the City of Fitchburg in April 2006 after extensive public review and discussion. The CDP established the framework for the commercial development of approximately 110 acres located in the southwest quadrant of the McKee Road x Verona Road intersection.

The Plan addressed issues and set development parameters for land use, zoning, public improvements, architectural character, traffic circulation, storm water management and open space preservation.

During the course of discussion on the CDP, the City and the property owners acknowledged that the sequence of development in this area would require revision and amendment in order to incorporate property assembly, rezoning and land divisions that had not been completed or contemplated at the time of the original adoption.

This amendment is the second amendment of the CDP and focuses on Lots 3-4, 6, and 7 of the Orchard Pointe II Preliminary Plat [Note: Final Plat or CSM Lot Numbers are different and have been noted]. This portion of Orchard Pointe is generally the area that was occupied by the former Urban Links indoor golf driving range and the EZ Gregory property. These lots are planned to be accessible from Hardrock Road only and have no access to McKee Road.

Orchard Pointe Chronology

2002 through 2005 General planning.

April 2006 Orchard Pointe Comprehensive Development Plan (CDP).

July 2006 Rezoning of Orchard Pointe (Ord.# 2006-O-17) and (Ord.# 2006-

O-18).

September 2006 Super Target Store site plan and land division.

January 2007 Orchard Pointe CDP Amendment One – Relating to lands east of

Fitchrona Road and the re-alignment of Hardrock Road (Orchard

Pointe II Preliminary Plat)

February 2007 Rezoning of McKee Road frontage easterly from Fitchrona Road

(Ord.# 2007-O-05) Relating to Lots 1, 2, 3, 4 and 7 Orchard Pointe

II Preliminary Plat.

General Description

Lot 3-4 Orchard Pointe II Preliminary Plat (Final Plat Lot 6). The first amendment of the Orchard Pointe CDP anticipated development of a 26,800SF (square foot) mixed-use retail and office building on Lot 3-4 (13,400SF first floor retail and 13,400SF second floor office). After several months of planning and design revisions, the owner has determined that a smaller office area is more appropriate at this location and would likely be more successful in the current real estate market in the city. Therefore this

Amendment No. 2 Orchard Pointe CDP TN-03-06 amendment proposes a 23,550SF mixed use (13,550SF first floor retail and 10,000SF second floor office) on Preliminary Plat Lot 3-4 (Final Plat Lot 6).

<u>Lot 6 Orchard Pointe II Preliminary Plat (Final Plat Lot 7)</u>. The development concept for Lot 6 has not been changed.

Lot 7 Orchard Pointe II Preliminary Plat(Final Plat Lot 8). This amendment proposes a 6,500 SF reduction in the medium format retail use(s) ("junior boxes") initially proposed on Lot 7 in order to reconcile and satisfy the required 35% open space requirement with the required additional Hardrock Road ROW and new driveway alignments to accommodate functional site circulation. These modifications were partially the result of the Staff and Plan Commission comments regarding the building site locations on the initial development concept.

Other aspects of the development in the Orchard Pointe area will be consistent with the architectural guidelines included in the adopted Orchard Pointe CDP, as amended, which continue to be applicable to this location.

Development parameters relating to zoning, building size, parking, open space, and traffic generation are summarized in Table 1 "Development Parameters".

Sequence of Development, Approvals

After this CDP Amendment, there are three additional steps to the City approval process for development at this location. It is anticipated that these will be submitted for review concurrently with, or immediately following this request. EZ Nesbitt LLC is projecting that public improvements and general site improvements will proceed immediately following final approval and will be completed in 2008. The first phase of building construction will likely be on Lots 3-4, and 6 (Final Plat lots 6 and 7).

- 1. CDP Amendment.
- 2. Final Plat of Orchard Pointe or CSM re PP lots 3, 4, 6, and 7.
- 3. Conditional Use Permit Review of site plan and Architectural Review of individual development sites.
- 4. Conditional Use Permit for proposed use/tenants as needed.

Land Use Development and Zoning

No changes are proposed in the Orchard Pointe CDP Land Use Plan and Zoning relating to the area encompassed by Lots 3, 4, 6, and 7 of the Preliminary Plat of Orchard Pointe II. (now Final Plat Lots 6, 7, and 8). Attachment A is "Table I -- Orchard Pointe Development Parameters". This table summarizes land use, zoning, projected gross floor areas, parking demands, and projected traffic for the approved Orchard Pointe CDP compared with this proposed amendment.

Traffic Generation and Circulation

The approval of the initial Orchard Pointe CDP included a provision that future land uses would need to be generally consistent with, but could not exceed, the vehicle trip generation projections which were included in the Traffic Impact Analysis report and supplemental information prepared by Strand and Associates, and RLK Engineering. These projections and the anticipated vehicle trips for the various uses and building sizes in Orchard Pointe have been included in Table 1 in order to monitor the potential impacts of this development.

Lots 3-4, 6 and 7 encompass the area identified as parcels 800 and 900 in the 6 February 2006 summary of the Strand Report. (See Attachment B) Development on these two parcels was originally forecast to total 147,000 square feet of commercial and mixed commercial uses with a total peak afternoon vehicle traffic estimated at 742 trips.

Since the initial CDP and Amendment 1 approvals, the conceptual site plan sketches have been refined to address issues and concerns identified by general market analyses, City Staff comments, and City Plan comments. The conceptual site plan sketches for this area now show potential development of 120,925 square feet and more realistic diversification of probable uses rather than the two large apparel stores and three restaurants illustrated in the initial concept. These modifications result in a lowering of the projected afternoon peak hour travel by to a total 540 trips which is 202 trips lower than the maximum established in the Strand Report. [Note for background: The Orchard Pointe CDP projected 744 PM peak trips, Amendment One revised this projection downward to 573 PM peak trips]

Open Space Preservation

The overall goal of 35% open space within the Orchard Pointe area is being maintained. At a minimum, each lot will provide and maintain at least 20% of its area as pervious open space. As site plans are finalized, some lots may be required to secure an "interest" in the permanently preserved "Open Space Outlots" within the Orchard Pointe Preliminary Plats. (Orchard Pointe Prelim Plat Outlots 4 & 5, Orchard Pointe II Outlot 1, which are Final Plat Outlots 3, 4, and 7)

Within the portion of Orchard Pointe that is owned by EZ Nesbitt, LLC, (Lots 3, 4, 6, and 7 and Outlot 1 of Orchard Pointe II Preliminary Plat), it is currently anticipated that there will be sufficient open space to satisfy the 35% and 20% requirements of the CDP.

The initial site plan layouts that were created to analyze the lot configuration alternatives for the Orchard Pointe II Preliminary Plat, indicated that development on Lots 3, 4, 6 and 7, **potentially** would need to obtain interest in 0.73 acres of "off-lot" open space that was shown as permanently preserved in Outlot 1 of the Orchard Pointe II Preliminary Plat and in Outlot 4 of the Orchard Pointe Preliminary Plat (see Utilization Outlots table in CDP Amendment 1- 2/28/07). Based on the conceptual site plan revisions that were prepared in response to City Plan Commission comments however, the open space provided by

Amendment No. 2 Orchard Pointe CDP TN-03-06 Outlot I and the "on-lot" yards and planting areas appear to be sufficient for development of the EZ Nesbitt properties. Therefore, rights to additional open space in the Orchard Pointe Preliminary Plat (Outlots 4 and/or 5) should not be needed. [Note: Orchard Pointe Preliminary Plat Outlots 4 and 5 correspond to Outlots 3 and 4 in the Orchard Point Final Plat]

If, during the process for site plan and architectural design approval, it is determined that additional open space is needed to meet the 35% standard, then the owner/developer of the individual lots would obtain rights to count a portion of the open space in the Orchard Pointe Preliminary Plat Outlots 4 and/or 5.

Attachment C is a preliminary version of a spreadsheet entitled "Orchard Pointe Open Space Ledger" which identifies:

- the required amount of open space for each lot in the proposed Final Plat of Orchard Pointe and,
- the amount of permanently protected open space area that is available on Final Plat Outlots 3 and 4 that could be utilized to meet the 35% standard.

As each lot is proposed for development, the approved site plan will determine the amount of open space (non-impervious area) that is provided. If off-lot open space is required, the owner/developer of each individual lot has the option to either obtain the right to count open space from the owner of the two outlots, or to revise the site plan to provide the required open space area on-lot. A permanent open space easement would be recorded each lot/outlot as needed in order to memorialize the allocation of the open space.

Allocating the permanent open space through easements has the primary advantage that the two "Open Space Outlots" will be owned singly, rather than having multiple joint and common owners, which simplifies maintenance obligations and tax liabilities.

Storm Water Management

This amendment does not propose any changes relating to the approved stormwater management design for Orchard Pointe. All of the lands owned by EZ Nesbitt, LLC are part of the Jamestown Storm Water Management Assessment area, and drain to the existing basins that are maintained by the City. Consequently, these lots only need to satisfy City stormwater infiltration, and oil and grease treatment requirements. Each lot will be encouraged to maximize infiltration of clean roof water and treated parking lot water beyond the minimum standards if feasible.

TABLE 1 Reformatted

Orchard Pointe Development Parameters

Comparison of Approved Comprehensive Development Plan and Proposed Amendment Two

109.73

Total

Current Approved CDP (including Amendment 1)

Proposed Ammendment Two -- 18 December 2007 Projected Traffic (1) Maximum Paking Projection Spaces Unit Value Avg Daly Vaekday Veakday Veakday GFA, Lanes or Units Veakday Or Units Veakday Or Units Veakday Or Units Veakday Or Units Very Or Units Very Or Ver Req'd Projected \$ | Rate/1000 ITE Use Code Approved and/or Existing Subject to CUP & for Site Plan Approval Building Area Site (acres) FAR Range (Note 1) No Changes CSM 11969-1 Proposed OP-1 OP-2 CSM 11969-3 Commercial 925 - 0. 912 Sahs in 4 dryc-thru lanes 932 Figh-fun rectauror! 614 Specialty Retail Center (small shops & restaurant uses) 615 Large Scale Discount Store w Grocery. 1,645 712 798 915 - 0.25 35% 98.585 6,000 7,180 4 20,000 25,000 25,000 13,500 7,000 11.39 2.03 8-3 1.24 8-3 8.12 8-H 8-H 8-H 8-H Commercial 932 Eligh-horn restaurun 932 Credit Union vid 4 ditive-ihru lanes 870 Med Formal Retal Store (Note 3) 870 Med Formal Retal Store (Note 4) 870 Med Formal Retal Store (Note 3) 870 Med Formal Retal Store (Note 3) 874 Specially Retal (amal shops) 710 Second Floor General Office (Note 4) 90 1000 GFA 24 Lanes 80 1000 GFA 80 1000 GFA 100 1000 GFA 54 1000 GFA 10.92 51.08 3.83 3.83 3.83 3.83 11,95 B-H 862 Home Improvement Store 814 Specialty Retail Center (small shops) 27,400 6,200 16,000 5,200 26 20 1000 GFA 53 1000 GFA 78 1000 GFA Unite 905 - 9.06 20% 3,800 3,3 13 1000 GFA 737.99 2.604 52.41 199 Hissel Use Commercial Warshouslin 814 Specially Retail Center (small shops) 710 General Office 150 Warshousing 0.25 - 0.28 35% 120 925 1750 6,500 7,425 4,500 7,229 40,000 30,000 (13,559) 10,000 Commercial 934 Coffee Shop widnive-thru 934 Coffee Shop widnive-thru 932 High-hum Restaurant 814 Specially Restal Center (small shops) 932 High-hum Restaurant 814 Specially Restal Center (small shops) 870 Mesi Formant Restal Store (Note 3) 870 Mesi Formant Restal Store (Note 3) 814 Specially Restal Center (small shops) 710 Second Filoor General Office 540 742 (202) 18 1000 GFA 98 1000 GFA 24 1000 GFA 68 1000 GFA 24 1000 GFA 160 1000 GFA 120 1000 GFA 45 1000 GFA 8-32 B-H B-G B-G B-G 8-32 B-H B-H 1.54 B-G B-G Commercial 814 Specialry Retail Center (small shops) 710 General Office 932 High-turn Restaurant 5.30 B.H Hixad Use Commercial Office 814 Specially Refail (small shops) 710 General Office 220 14 Daveling Units (2.5 acras) 30 1000 GFA 44.32 399 2.71 Open Space Parcels 7.73 OP OL 3 3.20 OP OL 4 4.28 OP OL 7 0.25 Wingra Wingra Neitzel Environmental Corridor Public Parkland Public Parkland Public Parkland 2.82 1.52 P-R 1.17 0.13 OP OL 1 OP OL 2 OP OL 6 Environmental Corridor 3.82 P-R Public Street Rights of Wa 12.19 Total McKee Road Fitchrona Road Nesbitt Road Limestone Lane Hardrock Road 0.28 8.64 0.48 1.13 1.66 Total Projected Average Daily Traffic (Raw Trips) 35,633 Total Projected 2006 PM Peak Trips Strand Net (Raw Trips) Projection Difference 2,955 3,379 (424) Acres Total Projected Gross Floor Area 695,955 SF Commercial Area Street Rights of Way 97.54 12.19

					TIT	_			P	Projected			_	-
Final Plat	Building Site	Area Zoning (acres)	ITE Use Code Approved and/or Existing	FAR Range	Reg'd Projected Open- Gross	Park Rate/1000	Parking		Avg Daily	raffic (1) Average	PM Peak PN Rate/1000		Strand M Peak	Net Different versus
CSM Lot			(Note 1) Subject to CUP & for Site Plan Approval		space Floor on-site Area (GFA)	GFA	Spaces	Projection Unit	Traffic Rate per 1000 GFA Lanes or Units	Weekday Traffic (ADT)	GFA , Lanes (ra or Units	Trips w trips)	Trip Projection (Note 2)	Strand Projecti
Development Are	a Marie Lineau	20,32	Commercial	0.25 - 0.2		S NEWS	973	No.		11,744	200001-00	590	1042	(
CSM 11969-1		1.50 B-G	912 Bank w/ 4 drive-thru lanes		5,000 5,600	4 4.5	23 84	Lanes 1000 GFA	411.17 127.15	1,645 712	51.08 10.92	204 61		
OP-1 OP-2	182	1.51 B-G 2.11 B-G/CUP	932 High-turn restaurant 814 Specialty Retail Center (small shops & re	staurant uses)	18,000	45*		1000 GFA	44.32	798	2.71	49		
CSM 11969-3	162	15.20 B-H/CUP	813 Large Scale Discount Store w/ Grocery	staurant uses;	174,550	4.5		1000 GFA	49.21	8,590		676		
Peterson	000000000000	11.39	Commercial	0.15 - 0.2	5 35% 98,660		451	N. Santa	10.15a 10.15	6,020		581	594	(
OP-3	others and an arrange	2.03 B-G	932 High-turn restaurant		6,000	15.0	90	1000 GFA	127.15	763		66		
OP-4 OP-5	TBO	1.24 B-G	912 Credit Union w/ 4 drive-thru lanes 670 Med Format Retail Store (Note 3)		7,180 20,000	4 3.3	24 80	Lanes 1000 GFA	411.17 45.04	1,645 901		204 77		
OP-5	TBD	8,12 B-H B-H	870 Med.Format Retail Store (Note 3)		20,000	4.0	80		45.04	901	3.83	77		
	TBD	B-H	870 Med Format Retail Store (Note 3)		25,000	4.0	100	1000 GFA	45.04	1,126		96		
	TBD TBD	В-Н	814 Specialty Retail (small shops) 710 Second Floor General Office (Note 4)		13,500 7,000	4.0	54	1000 GFA 1000 GFA	45.04 11.01	608		52 10		
	180		710 Second Floor General Office (Note 4)			3.3	-		11.01					
Wingra OP-12	TOD	11.95 11.95 B-H	Commercial 862 Home Improvement Store	0.25 - 0.2	8 20% 88,000	45	386	1000 GFA	29.80	2,739		218 196	228	- (1
OP-12	TBD	11.95 B-H B-H	814 Specialty Retail Center (small shops)		8,000	3,3		1000 GFA	44,32	355		22		
Wingra		3.78	Mixed Use Commercial-Office-Residentia	0.25 - 0.3	0 20% 27.400	of Sections	151	1000000000	California Book	1,093	- Control of the Control	96	227	(1:
OP-10	TBD	3,78 B-G	614 Specialty Retail Center (small shops)	0.23 - 0.3	6,200	3.3	20	1000 GFA	44.32	275	2.71	17		THE REAL PROPERTY.
		B-G	710 General Office		16,000	3.3	53		11.01	176		24 39		
		B-G B-G	931 Quality Restaurant 220 26 Upper Story Dwelling Units		5,200 26	15.0	78	1000 GFA Units	89.95 6.72	468 175		16		
) Parcel eliminated	to accommo	odate Fitchrona Road												
Wingra		213	Commercial	0.05 - 0.0	6 20% 3,800 3,800	3,3	13	1000 GFA	737,99	2,804 2,804	52.41	199	386	(1)
OP-13	1	2.13 B-H	851 Convenience Market (No Fuel)			3.3			737,99					
Wingra		3.74	Mixed Use Commercial-Warehousing	0.25 - 0,4	5 20% 30,000 6,000	3,3	60 20	1000 GFA	44.32	445 266		38 16	75	- (3
OP-11	TBD	3.74 B-H B-H	814 Specially Retail Center (small shops) 710 General Office		10,000	3.3	33	1000 GFA	11.01		1.49	15		
		B-H	150 Warehousing		14,000	0.5	7	1000 GFA	4.96	69	0.47	7		
Neizel	SESSESSION OF	12.65	Commercial	025 - 02	8 35% 130,675	R SECRETARIA	626			7,102	2	570	742	(1
OP-7	1	2.80 B-G	934 Coffee Shop w/ drive-thru	ALL DESCRIPTION OF THE PROPERTY OF THE PROPERT	1,750	10.0	/18		496.12	868	34.64	61 71		
	1	B-G B-G	932 High-turn Restaurant 614 Specialty Retail Center (small shops)		6,500 7,425	15.0	98 24		127.15 44.32	826 329		20		
-	2	B-G	932 High-turn Restaurant		4,500	15,0	/ 68	1000 GFA	127.15	572	10.92	49		
	2	B-G	814 Specialty Retail Center (small shops)		7,200	3.3	/186		44.32 45.04	319 2.094	2.71	20 178		
OP-8	2	8.32 B-H B-H	870 Med Format Retail Store (Note 3) 870 Med Format Retail Store (Note 3)		46,500 30,000	4.0	306/120	1000 GFA	45.04	1,351		115		
OP-6	-	1.54 B-G	814 Specialty Retail Center (small shops)		13,400	3.3	(44	1000 GFA	44.32	594	271	36		
		B-G	710 Second Floor General Office		13,400	3.3	8 6 (44	1000 GFA	11.01	148	1,49	20		
Sara Investment	Marie Carlo	5.20	Mixed Use Commercial-Warehousing	0.25 - 0.2			84			431		53	45	
Nesbitt Hts 8,9		5.20 B-H	814 Specially Retail Center (small shops) 710 General Office		6,000 15,000	3.3	20 50	1000 GFA 1000 GFA	44.32 11.01		5 2.71	16 22		
		B-H B-H	150 Warehousing		30,000	0.5		1000 GFA	11.01	100	0.47	14		
	-			0.20 0.2	5 35% 40,000		(2)	1		2,020	Name and Address of the Owner, or other teams	143	41	16
CSM 10317-1		5.30 5.30 B-H	Commercial 814 Specialty Retail Center (small shops)	0.20 - 0.2	5 35% 40,000 30,000	3.3	191	1000 GFA	44,32	1,330	2.71	81	OCCUPATION OF PERSONS	mour gat.
		B-H	710 General Office		5,000	3,3	17			55		7		
		B-H	932 High-turn Restaurant		5,000	15.0	75	1000 GFA	127.15	636	5 10.92	55		
Paterson	ACAZES	4.11	Mixed Use Commercial-Office-Residentia	0.20 - 0.2		1 Name (62)	79		MICH STATE	1,156		74	NA .	100
OP-14	TBD	4.11 B-G B-G	814 Specialty Retail (small shops) 710 General Office		24,000	3.3	79	1000 GFA	44.32 11.01	1,064		65 0		
		B-G B-G	220 14 Dwelling Units (2.5 acres)		14	**		Unit	6.72			9		
3 Wingra		2.59	Commercial	0.20 - 0.2	5 35% 9,000 9,000	3.3	30	1000 GFA	44.32	399		24 24	N4	
OP-9		2.59 B-G	814 Specialty Retail (small shops)		3,000	3.3		1	71.02	35	(#3/4)			
	Open Space	ce Parcels	Environmental Corridor											
Wingra	OP OL 3	7.73 3.20 P-R	Private Open Space											
Wingra	OP OL 4	4.28 P-R	Private Open Space											
Neitzel	OP OL 7	0.25	Private Open Space											
		2.82	Environmental Corridor	Carlot I										
	OP OL 1	1.52 P-R	Public Parkland Public Parkland											
	OP OL 2 OP OL 6	1.17 P-R 0.13 P-R	Public Parkland Public Parkland											
	OP OL 5	3.82 3.82 P-R	Environmental Corridor Stormwater Management											
			Grunnace nariagement											
	Public Stre	eet Rights of Way 12,19	Total	0.500										
		0.28 8.64	McKee Road Fitchrona Road											
		0.48	Neshit Road											
		1 13	Limestone Lane											

Summary CDP	Acres	Total Projected Gross Floor Area	Average Daily Traffic (Raw Trips)	PM Peak Trips Strand Net (Raw Trips) Projection Difference
Commercial Area Street Rights of Way	97.54 12.19	705,705 SF	35,956	2,985 3,379 (394)
Total	109.73			

Use Mix			
	#	GFA	
Large Format Retail	2	254,550	36.1%
Med, Format Retail	5	141,500	20.1%
Specialty Retail & Restaurant		170,275	24.1%
Stand-alone Restaurant	3	16,800	2.4%
General Office		66,400	9.4%
Banks/Credit Union	2	12,180	1.7%
Warehousing		44,000	6.2%
Dwelling Units	40		
	Gros	s Floor Area	705,705
	Large Format Retail Med. Format Retail Specialty Retail & Restaurant Stand-shore Restaurant General Office Banks/Credit Union Warehousing	Large Format Retail 2 Med, Format Retail 5 Specially Retail & Restaurant Stand-alone Restaurant 3 General Office Banks/Cred turion 2 Warehousing Dwelling Units 40	# GFA Large Format Retail 2 254.550 Med, Format Retail 5 141,500 Specially Retail & Restaurant 170.275 Stand-alone Restaurant 3 16,800 General Office 66,400 Banks/Cred tuhion 2 12,180 Warehousing 44,000 Dwelling Units 40

Orchard Pointe Open Space Ledger

This Ledger is intended to provide a record of the location and amount of preserved and created open space within the Orchard Pointe development as required by the Orchard Pointe CDP, as amended.

The Orchard Pointe CDP requires that 20% of the area of each lot be maintained as open space (to include all landscaped pervious surfaces: lawn, planting beds, parking islands if planted, retaining wall location of the overall Orchard Pointe development area (net of street ROW and dedicated parklands) be preserved as open space.

Revision Dates:

Apr 3, 2006 CDP Approval (Sept. 2006)
Sept. 2006 Ryan CSM, Site Plan Approval
Sept. 2006 Ryan CSM, Site Plan Approval
Jan. 2007 CDP Amendment re: Hard rock Road alignment, re-zoning and preliminary lotting of tracts east of Fitchrona Road
XX, 2008 Final Plat Approval
XX, 2008 Draft: 12/13/07, 12/26/2007modified format for readability,01/02/08 data correction

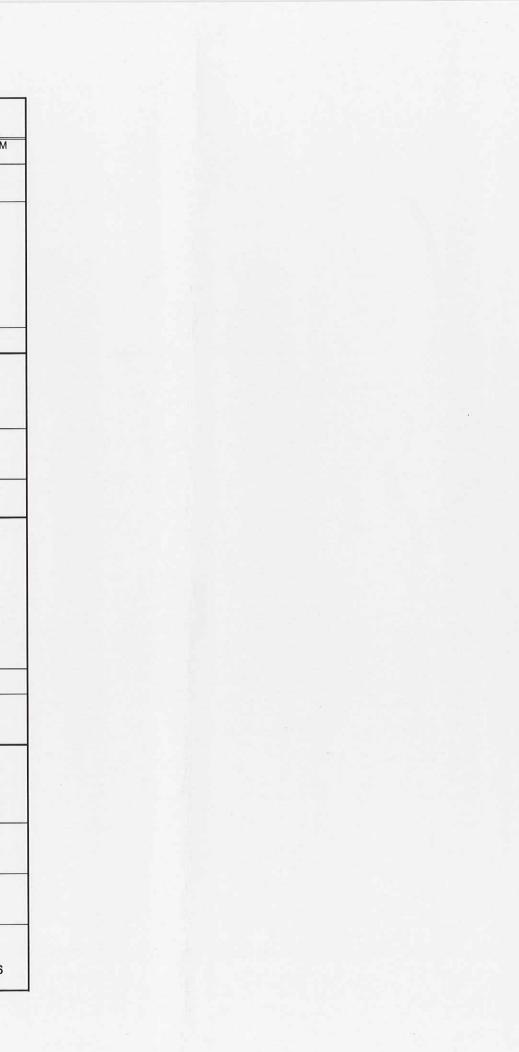
Shading indicates lots that do not yet have an approved site plan.

		Notes and Lotcation of open space	Super Target Store and out buildings Open Space is provided in yards, screening berm, parking islands and OP Outlot 5	Exceeds minimum	Open Space anticipated to be entirely on lot	Open Space anticipated to be entirely on lot	Open Space anticipated to be entirely on lot	Open Space anticipated to be on lot and on OL7 Exceeds minimum	Open Space anticipated to be entirely on lot	Open Space anticipated to be entirely on lot	Open Space anticipated to be on lot and on a portion of OL 4	Open Space anticipated to be on lot and on a portion of OL 4	Open Space anticipated to be on lot and on a portion of OL 3	Open Space anticipated to be on lot and on a portion of OL 3	Open Space anticipated to be on lot and on a portion of OL 3	Open Space anticipated to be entirely on lot					No allocation is permitted	
		Total	4.06 Su 3.82 Op 0.00 par	7.88 Exe	0.00 0.00 17.0	0.43 0.00 0.43	2.84	0.35	0,98 0,00	2.91	0.52	0.76	0.75 0.56 1.31	2.39	0.43	0.00			0.53		Z 00.00	
	Plan	Other		00.00	00.00	00.0	0:00	00'0	0.00	00.0	0:00	0.00	00.0	0.00	0.00	000						
	proved Site	P Outlot 7		0.00	00.0	00.00	00:0	0.25	00.00	00.0	0.00	00.00	00.00	00.00	0.00	000	0.25					00:00
	ed Per Api	Outlot 5 C	3.82	3.82	0.00	0.00	0.00	0.00	0.00	00.0	0.00	0000	00.00	00.0	0.00		3.82				0.00	
	Open Space Provided Per Approved Site Plan	Off-Lot Outlot 4 OF		0.00	0.00	0.00	00:00	0.00	0:00	0.00	0.39	0.56	0.00	00.00	0.00		0.95			3.33		
	Open Sp	Off-Lot OP Outlot 3 OP Outlot 4 OP Outlot 5 OP Outlot 7		0.00	0.00	0.00	0.00	0.00	0.00	0.00	00.00	00.00	0.56	1.79	0.32		2.67		0.53			
	1	On- Lot OP	4.06	4.06	0.77	0.43	2.84	0.37	86.0	2.97	0.52	0.76	0.75	2.39	0.43	1.44	18.53					
				4.06	0.41	0.25	1.62	0.31	0,56	1.66	0.52	0.76	0.75	2,39	0.43		13.29					
Required Open Space	Minimum On-lot Open Space	Area		20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	20.0%	1000	20.0%					
Required Op	Open Space Goal	CDP		7.11	1.70	0.43	2.84	0.54	0.98	2.91	0.91	, 1.32	1.31	6 4,18	6 0.75		23.25					
	Open	per CDP		Four Lots	35.0%	35.0%	35.0%	35.0%	35.0%	1 35.0%	35,0%	35.0%	9 35.0%	6 35.0%	35.0%	200	7 35.0%					
	Maximum Impervious	Area Area		Aggregated Four Lots 80.0% 16.26 35.0%	% 1.32	% 0.81	% 5.28	% 1.00	1.82	1% 5,41	2.07	3,02		1% 9,56	1.70		2.67	utlots ***				
	Ma	%	0 = = 0		3 65.0%	24 65.0%	12 65.0%	54 65.0%	90 65.0%	32 65.0%	80.0%	80.0%	74 80.0%	80.0%	2.13 80.0%	900	4.11 65.0%	Space 0	3.20	4.28	3.82	0.25
	Lot Area	(acres)	1,50 1,51 2,11 15,20	20.32	2.03	1.24	8.12	1.54	2,80	8.32	2.59	3.78	3.74	11.85	2.		66.43	s of Open	9.	4	m)	o
		Lot	CSM 11969 Lot 1 OP Lot 1 OP Lot 2 CSM 11969 Lot 3		OP Lot 3	OP Lot 4	OP Lot 5	OP Lot 6	OP Lot 7	OP Lot 8	OP Lot 9	OP Lot 10	OP Lot 11	OP Lot 12	OP Lot 13	OP Lot 14	Subtotal	Unallocated areas of Open Space Outlots	Outlot 3	Outlot 4	Outlot 5	Outlot 7

Plat Total Net Dev. Area

Dev. Area	86.77			18.53	3.20	4.28	3.82	0.25	0.00	30.08	

	Fitchburg Commons	-			Total PM	January 5, 2005 TIA		ITE			Total PM
00	Commercial	20.7	Size	ITE Code	Trips	Development C	35.1	Code	Size	Unit	Trips
k #	Large Scale Discount		174,550	813	703	Home Improvement Superstore		862	152,600	1000 GFA	374
	Specialty Retail		9,600	814	26	General Office Builiding		710	80,000	1000 GFA	119
	Specialty Retail		8,400	814	23	Residential Condominium/Townhouse		230	50	DU	26
	Drive In Bank		5,000	912	229						
	High Turn-over Restaurant		5,600	932	61						
	night fulfi-over Restaurant		5,000	932	0.1						
00	Commercial	5.7									
	Home Improvement		50,000	862	123						
	Specialty Retail		8,000	814	22						
002	Detension	4.0									
102	Total	4.0	261,150	GFA	1187	Total			287,600	GFA	519
		44.0				Development B	8.7				
00	Commercial	11.6	20.000	970	124	Drive-in Bank	0.7	912	5,000	1000 GFA	229
	Arts and Crafts Store		20,000	879	124			814	45,000	1000 GFA	122
	Office Supply Superstore		25,000	867	85	Specialty Retail			45,000	1000 GFA 1000 GFA	67
	Specialty Retail		20,000	814	54	General Office Builiding		710	45,000	1000 GFA	07
	Specialty Retail		6,000	814	16						
	Specialty Retail		7,500	814	20						
	High Turn-over Restaurant		6,000	932	66						
**	Drive in Bank - 3 windows		5,000	912	229					054	140
	Total		89,500	GFA	594	Total			95,000	GFA	418
000	Apparrel Store High Turn-over Restaurant Fast Food with Drive Through Commercial Apparel Store Specialty Retail High Turnover Restaurant Total	7.8	40,000 7,000 3,000 80,000 10,000 7,000 147,000	870 932 934 870 814 932 GFA	306 27 76 742	Development E Free-Standing Discount Store Specialty Retail Center (Outlot 1) Specialty Retail Center (Outlot 2) Specialty Retail Center (Outlot 3) High-Turnover (Sit-Down) Restaurant Total Subtract Specialty Retail (Outlot 1) Total	-1.3	815 814 814 814 932	124,000 14,000 11,500 11,500 13,000 (14,000)	1000 GFA 1000 GFA 1000 GFA 1000 GFA 1000 GFA	627 38 31 31 142 870 -38 832
	s not Included in Fitchburg Common		s but in Ja	nuary 2005 T	TA .	Development A	4.3				
Jea .	Parcels Not in Fitchburg Commons Jungs Redevelopment	4.3	48,000		442	Drive-in Bank	4.0	912	5,000	1000 GFA	229
	oungo i redevelopment		70,000		172	High-Turnover (Sit-Down) Restaurant		932	15,000	1000 GFA	164
						Business Hotel		312	80	Rooms	50
						Total		J.L	48,000		442
						Franchischer (D. 1921)					
						From Development E (Portion)	4.0		44.000		20
	CarQuest/Monkey Shines Redev	1.3	14,000		38	Add Specialty Retail (Outlot 1)	1.3		14,000		38
	Total		62,000		480	Total			62,000		480
						Development D					0.00000
	Planned Unit Development	270			407	Planned Unit Development		270	656	DU	407
	Training of the Development					Total					407
	Training of the portal princing					Total					407



	Land Use	20.7	Size	ginal TIA	Total PM Trips	Land Use		Size	ITE Code	Unit	Total PM Trips
100	Commercial-Mixed Use	3.7	Size	II Code	Trips	Land Ose		SIZE	Code	Onit	Tilps
400		3.7	00.000	740							
	General Office		30,000		45						
	Specialty Retail		12,000		33						
	Quality Restaurant		6,000	931	45						
	Fast Food with Drive Through		3,000	934	104						
500	General Office	3.6									
	General Office		56,000	710	83						
300	Commercial	1.8									
	Gas/Service w/ Convenience		4,000	945	385						
700	Commercial Mixed Use	7.1									
	Specialty Retail		6,000	814	16						
	General Office		30,000		45						
	Warehousing		30,000	150	14						
000	Commercial Mixed Use	5.2				Already Occurring Trips	5.2				
	Specialty Retail		6,000		16	Warehouse		44,000	150	0.47	44
	General Office		15,000	710	22						
	Warehousing		15,000	150	7						
100	Commercial Mixed Use	5.3				Already Occurring Trips	5.3				
100		5.3		000			5.3		000	40.00	40
	High-Turnover Restaurant			932	0	High-Turnover Restaurant		5,000	932	10.92	16
	General Office		-	710	0	Specialty Retail		24,000	814	2.71	27
	Specialty Retail		15,000	814	41	Warehouse		8,000	150	0.47	8
200	Omitted	4.6									
000	Open Space	5.0									
2004	Open Space	1.7									
					856						95

